

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2345 of 2020

Arising Out of PS. Case No.-101 Year-2019 Thana- PIRI BAZAR District- Lakhisarai

Sudhir Kumar Yadav @ Sudhir Yadav, Son of Prabhu Yadav, Resident of
Village- Gopalpur, P.S.- Chanan, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi, Advocate

For the Opposite Party/s : Mr. Madan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-02-2020 Heard learned counsel for the parties.

The petitioner apprehends his arrest in Piribazar P.S. Case No. 101 of 2019 registered for the offence(s) punishable under Sections 379 and 411 of the Indian Penal Code and Section 4 and 40 of the Bihar Minor Mineral Concession Rule and Sections 4, 6 and 8 of Bihar Minerals (Prevention of Illegal Mining Transportation and Storage) Act, 2003 and Section 15 of Environment Protection Act, 1986.

The prosecution case is that the informant got information of illegal soil cutting and when the informant reached the spot, three persons were arrested at the spot and the vehicles was seized including the J.C.B.

It is submitted on behalf of the petitioner that the petitioner is innocent and has falsely been implicated in this



case. The petitioner was not arrested at the spot and he has been made accused in this case only because he is the owner of the J.C.B. which was seized at the spot. It is further submitted that the petitioner was not present at the spot and had no knowledge about the illegal soil cutting. Nothing has been recovered from the conscious possession of the petitioner and he has no criminal antecedent.

Considering the aforesaid facts and circumstances as well as the nature of accusation, in the event of arrest or surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Piribazar P.S. Case No. 101 of 2019 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.”

(Prabhat Kumar Singh, J)

Ankit/-

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